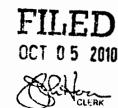
UNITED STATES DISTRICT COURT DISTRICT OF SOUTH DAKOTA SOUTHERN DIVISION



UNITED STATES OF AMERICA,

CR 09-40105-07

Plaintiff,

ORDER

ANDREW MARCO, a/k/a Andy,

VS.

Defendant..

Pending before the Court is the Defendant's Plea Agreement, Factual Basis Statement, and Supplement to Plea Agreement. A hearing to take the plea was held before the Magistrate Judge on September 13, 2010, and Judge Simko issued a Report and Recommendation accepting the plea, and recommending to this Court that the Defendant be adjudged guilty as charged in the Second Superseding Indictment with Conspiracy to Distribute a Controlled Substance in violation of 21 U.S.C. §§ 841(a)(1) and 846. After a careful review of the file, and the parties having waived their right to object to the Report and Recommendation,

IT IS ORDERED:

That the Magistrate Judge's Report and Recommendation is ADOPTED by 1. the Court, and the Defendant Andrew Marco, a/k/a Andy, is adjudged guilty.

Dated this _____ day of October, 2010.

BY THE COURT:

awrence L. Piersol

United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

By Jackie Meisenheimen